

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID BOOKER,

Plaintiff

Case No. 2:23-cv-00469-ART-DJA

ORDER

v.

HIGH DESERT STATE PRISON, et al.,

Defendants

I. DISCUSSION

Plaintiff has filed a motion for referral to the pro bono program and has requested another application to proceed *in forma pauperis*. (ECF No. 19). The Court denies the request for a referral to the pro bono program but grants the request for another application to proceed *in forma pauperis*. Plaintiff still has not submitted a fully complete application to proceed *in forma pauperis* which includes the Court's 3-page form, a completed financial certificate signed by a prison official, and an inmate account statement for the past six months. The Court grants Plaintiff an extension of time through August 18, 2023, to file a fully complete application to proceed *in forma pauperis* or pay the full filing fee of \$402.

Additionally, it is premature for the Court to determine whether Plaintiff is eligible for the pro bono counsel program because Plaintiff has not yet satisfied the matter of the filing fee by filing an application to proceed *in forma pauperis* or by paying the \$402.

II. CONCLUSION

It is therefore ordered that the motion for a referral to the pro bono program and another application to proceed *in forma pauperis* (ECF No. 19) is denied in part and granted in part.

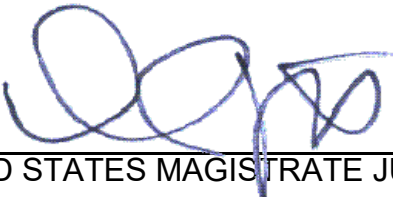
It is further ordered that Plaintiff has **until August 18, 2023**, to either pay the full \$402 filing fee or file a fully complete application to proceed *in forma pauperis* with all three required documents: (1) a completed application with the inmate's two signatures

1 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
2 prison or jail official, and (3) a copy of the inmate's trust fund account statement for the
3 previous six-month period.

4 The Clerk of the Court is directed to send Plaintiff the approved form application to
5 proceed *in forma pauperis* for an inmate and instructions.

6 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
7 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
8 to refile the case with the Court, under a new case number, when Plaintiff can file a
9 complete application to proceed *in forma pauperis* or pay the required filing fee.

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11 DATED this 28th day of June 2023.

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14 UNITED STATES MAGISTRATE JUDGE
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